Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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PAGE 01 STATE 043693
ORIGIN NEA-10

INFO OCT-01 AF-08 EUR-12 ISO-00 SSO-00 SIG-01 NSCE-00
INRE-00 USIE-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00
INR-07 NSAE-00 PA-01 PRS-01 DODE-00 EB-08 COME-00
TRSE-00 OMB-01 L-03 H-01 STR-04 AID-05 /089 R

DRAFTED BY NEA:SSOBER:JR
APPROVED BY THE SECRETARY
NEA:ALATHERTON,JR.
S/S -O: RPERITO
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O 272055Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY ABU DHABI IMMEDIATE
AMEMBASSY AMMAN IMMEDIATE
USINT BAGHDAD IMMEDIATE
AMEMBASSY CAIRO IMMEDIATE
AMEMBASSY DAMASCUS IMMEDIATE
AMEMBASSY DOHA IMMEDIATE
AMEMBASSY KUWAIT IMMEDIATE
AMEMBASSY MANAMA IMMEDIATE
AMEMBASSY MUSCAT IMMEDIATE
AMEMBASSY SANA IMMEDIATE
AMEMBASSY TRIPOLI IMMEDIATE
INFO AMEMBASSY ALGIERS IMMEDIATE
AMEMBASSY BEIRUT IMMEDIATE
AMCONSUL DHAHRAN IMMEDIATE
AMEMBASSY JIDDA IMMEDIATE
AMEMBASSY KHARTOUM IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY MOGADISCIO IMMEDIATE
AMEMBASSY NOUAKCHOTT IMMEDIATE
AMEMBASSY RABAT IMMEDIATE
AMEMBASSY TEL AVIV IMMEDIATE
AMEMBASSY TUNIS IMMEDIATE

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PAGE 02 STATE 043693

C O N F I D E N T I A L STATE 043693

FOR THE AMBASSADOR OR CHARGE

E.O. 11652: GDS

TAGS: PFOR, ETRD

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SUBJECT: ARAB BOYCOTT: FURTHER REPRESENTATIONS

1. YOU SHOULD INFORM HOST GOVERNMENT, AT APPROPRIATELY HIGH LEVEL, OF STATEMENT WHICH SECRETARY VANCE WILL MAKE BEFORE INTERNATIONAL FINANCE SUBCOMMITTEE OF SENATE BANKING COMMITTEE ON FEBRUARY 28 AND BEFORE HOUSE INTERNATIONAL RELATIONS COMMITTEE ON MARCH 1 (TEXT BY SEPTEL), DRAWING AS APPROPRIATE ON THE STATEMENT AND FOLLOWING POINTS:

A) THE SECRETARY'S RECENT TRIP TO MIDDLE EAST, HIS FIRST MISSION ABROAD SINCE TAKING OFFICE, REFLECTS VERY HIGH PRIORITY WHICH PRESIDENT CARTER AND HIS ADMINISTRATION GIVE TO HELPING THE PARTIES TO MOVE TOWARD A JUST AND LASTING ARAB-ISRAELI SETTLEMENT. WE ARE COMMITTED TO DOING EVERYTHING WE CAN TOWARD THAT END.

B) THE ADMINISTRATION ALSO REMAINS DEEPLY COMMITTED TO MAINTAINING ITS FRIENDLY AND COOPERATIVE RELATIONSHIPS WITH THE VARIOUS COUNTRIES OF THE REGION--RELATIONSHIPS WHICH WE VIEW AS MUTUALLY VALUABLE AND WHICH ENCOMPASS, AMONG OTHER THINGS, THE VERY SUBSTANTIALLY INCREASED TRADE BETWEEN US IN THE PAST SEVERAL YEARS.

C) WE WANT COUNTRIES APPLYING A BOYCOTT AGAINST ISRAEL TO KNOW THAT IT IS AGAINST THIS BACKGROUND AND IN THIS SPIRIT THAT WE APPROACH THE QUESTION OF AMERICAN LEGISLATION ON BOYCOTT QUESTIONS. CERTAIN PRACTICES UNDER THIS BOYCOTT INHIBIT THE NORMAL DEVELOPMENT OF ECONOMIC RELATIONSHIPS
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BETWEEN THE U.S. AND ARAB COUNTRIES TO THE DETRIMENT OF SHARED MUTUAL INTERESTS. OUR INTENTION IS NOT TO DEAL WITH ASPECTS OF THE BOYCOTT WHICH ARE THE SOVEREIGN RIGHT OF OTHER NATIONS TO DETERMINE BUT TO DEAL WITH EFFECTS OF THE BOYCOTT WHICH TOUCH UPON MATTERS OF OUR OWN SOVEREIGNTY.

D) WE RECOGNIZE THE SOVEREIGN RIGHT OF ALL COUNTRIES TO REGULATE THEIR COMMERCE AND TO DECIDE, IF THEY WISH, TO REFUSE TO TRADE WITH OTHER NATIONS. WE ARE AWARE THAT THE ARAB COUNTRIES BELIEVE IT ESSENTIAL TO MAINTAIN A SO-CALLED PRIMARY BOYCOTT OF ISRAEL. WE DO NOT QUESTION THEIR RIGHT TO DO SO, ALTHOUGH WE HOPE THAT AS TIME GOES ON THEY WILL NO LONGER BELIEVE THIS NECESSARY.

E) THERE IS WIDESPREAD FEELING IN THE UNITED STATES, HOWEVER, THAT U.S. FIRMS AND CITIZENS SHOULD NOT BE EX-PECTED TO ACT AS INSTRUMENTS OF A BOYCOTT MAINTAINED BY ANY FOREIGN COUNTRIES. U.S. FIRMS SHOULD NOT BE REQUIRED

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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IN THIS WAY, UNDER A SO-CALLED SECONDARY BOYCOTT, TO AVOID COMMERCIAL RELATIONS WITH OTHER FRIENDLY COUNTRIES OR WITH OTHER U.S. FIRMS. SECONDARY BOYCOTT PRESSURES TEND TO MAKE U.S. COMMERCE TAKE SIDES IN A DISPUTE IN WHICH THE UNITED STATES WANTS TO MAINTAIN FRIENDLY RELATIONS WITH ALL PARTIES.

F) LEGISLATION IS NOW BEING CONSIDERED IN THE CONGRESS WHICH WOULD MAKE IT UNLAWFUL FOR U.S. FIRMS TO TAKE VARIOUS STEPS TO ENFORCE A BOYCOTT APPLIED BY FOREIGN COUNTRIES. IT IS IMPORTANT TO UNDERSTAND THAT THE PROPOSED LEGISLATION WOULD NOT BE DIRECTED AGAINST ANY FOREIGN COUNTRY OR COUNTRIES BUT WOULD DEAL RATHER--AS IS ENTIRELY APPROPRIATE--WITH U.S. COMMERCE AND THE ACTIVITIES OF U.S. PERSONS IN ACCORDANCE WITH WIDELY ACCEPTED PRINCIPLES OF AMERICAN CONDUCT.

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G) WITH THIS BACKGROUND, WE SEEK BOTH YOUR UNDERSTANDING AND YOUR COOPERATION ON STEPS THAT COULD BE TAKEN TO REDUCE THE PROBLEMS AT ISSUE. WE ARE AWARE OF AND FULLY APPRECIATE THE STEPS THAT A NUMBER OF ARAB COUNTRIES ALREADY HAVE TAKEN IN THIS REGARD, FOR EXAMPLE IN TERMINATING THE REQUIREMENT FOR NEGATIVE CERTIFICATES OF ORIGIN ON GOODS SHIPPED TO THEM FROM THE UNITED STATES. WE ARE HAPPY TO NOTE THAT THE GOVERNMENT OF SAUDI ARABIA RECENTLY INFORMED US THAT IT WILL HENCEFORTH ACCEPT POSITIVE CERTIFICATES OF ORIGIN FROM AMERICAN EXPORTERS. (AS APPROPRIATE:) WE APPRECIATE THE SIMILAR STEP BY YOUR GOVERNMENT; OR--WE HOPE YOUR GOVERNMENT CAN TAKE A SIMILAR STEP.

H) WE ASK THAT YOU CONSIDER ALSO DISCONTINUING THE PRACTICE OF CALLING FOR NEGATIVE CERTIFICATIONS REGARDING THE IDENTITY OF FIRMS ACTING IN A SECONDARY RELATIONSHIP WITH PRIME SUPPLIERS OR CONTRACTORS, OR OF VESSELS TO BE USED IN SHIPMENTS TO YOUR PORTS. THE CHANGE IN PRACTICE SHOULD APPLY TO THE VARIOUS USUAL FORMS OF BUSINESS DOCUMENTATION (CONTRACTS, INVOICES, LETTERS OF CREDIT, SHIPPING PAPERS, TENDER DOCUMENTS, ETC.). WE APPRECIATE THAT VARIOUS ARAB COUNTRIES HAVE ALREADY TAKEN STEPS ALONG THESE LINES.

I) WE ALSO SUGGEST THAT YOU CAREFULLY REVIEW AND CONSIDER DISCONTINUING THE PRACTICE OF ASKING POTENTIAL AMERICAN SUPPLIERS TO RESPOND TO QUESTIONS REGARDING THEIR BUSINESS RELATIONSHIPS WITH ANOTHER COUNTRY (I.E., ISRAEL) OR WITH OTHER U.S. FIRMS. WE BELIEVE YOU WOULD WISH TO KNOW THAT THIS PRACTICE CAN CAUSE EMBARRASSMENT AND HARM TO THE

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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SUPPLIERS IN QUESTION EVEN THOUGH THAT WAS CLEARLY NOT
INTENDED.

J) FINALLY, THE LEGISLATION NOW UNDER CONSIDERATION BY
THE CONGRESS WOULD PROHIBIT ANY DISCRIMINATION AGAINST
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PAGE 05 STATE 043693

U.S. PERSONS, ARISING OUT OF FOREIGN BOYCOTT PRACTICES,
ON THE BASIS OF RELIGION, RACE, OR NATIONAL ORIGIN. WE
HAVE NOTED AND APPRECIATE THE ASSURANCE OF YOUR GOVERNMENT
(OR, ARAB GOVERNMENTS) THAT SUCH DISCRIMINATION HAS NO
PART IN THE BOYCOTT OF ISRAEL.

K) WE HAVE BELIEVED IT APPROPRIATE TO DISCUSS THESE
POINTS WITH YOU IN THE CONVICTION THAT BOTH OUR COUNTRIES
BELIEVE IT VALUABLE TO IDENTIFY DIFFERENCES (CURRENT OR
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TO CONSULT ON HOW SUCH QUESTIONS COULD BE RESOLVED TO OUR
MUTUAL BENEFIT. WE HOPE THAT YOU WILL CAREFULLY CONSIDER
THE SUGGESTIONS WE HAVE OFFERED. WE WOULD BE PLEASED TO
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3. PLEASE REPORT FULLY ON YOUR REPRESENTATIONS. SHOULD
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4. FOR JIDDA: SEPARATE INSTRUCTIONS WILL BE SENT ON
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PAGE 06 STATE 043693

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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PAGE 01 STATE 043693
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APPROVED BY NEA/RA:SEPALMER JR
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C O N F I D E N T I A L STATE 043693

FOLLOWING REPEAT STATE 43693 ACTION ABU DHABI AMMAN BAGHDAD CAIRO DAMASCUS DOHA KUWAIT MANAMA MUSCAT SANA TRIPOLI INFO ALGIERS BEIRUT DHAHRAN JIDDA KHARTOUM LONDON MOGADISCIO NOUAKCHOTT RABAT TEL AVIV TUNIS 27 FEB 77

QUOTE C O N F I D E N T I A L STATE 043693

FOR THE AMBASSADOR OR CHARGE

E.O. 11652: GDS

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PAGE 02 STATE 043693

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PAGE 05 STATE 043693

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Message Attributes

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Disposition Approved on Date:
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Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Executive Order: GS
Errors: N/A
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Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3340128
Secure: OPEN
Status: NATIVE
Subject: ARAB BOYCOTT: FURTHER REPRESENTATIONS
TAGS: PFOR, ETRD, XF, IS, US, (VANCE, CYRUS R)
To: ABU DHABI AMMAN MULTIPLE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/efe1f5c7-c288-dd11-92da-001cc4696bcc
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22 May 2009
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